

Senate File 516

S-3376

1 Amend Senate File 516 as follows:

2 1. Page 20, after line 23 by inserting:

3 <DIVISION \_\_\_\_

4 DEPARTMENT OF NATURAL RESOURCES

5 Sec. \_\_\_\_\_. Section 331.605, subsection 1, paragraph b,  
6 subparagraph (1), Code 2017, is amended to read as follows:

7 (1) The fees specified in rules adopted pursuant to section  
8 483A.1.

9 Sec. \_\_\_\_\_. Section 331.605, subsection 1, paragraph c, Code  
10 2017, is amended to read as follows:

11 c. A state migratory game bird fee as provided in rules  
12 adopted pursuant to section 483A.1.

13 Sec. \_\_\_\_\_. Section 481A.93, subsection 2, paragraph b,  
14 subparagraph (2), Code 2017, is amended to read as follows:

15 (2) The totally blind person is accompanied and aided  
16 by a person who is at least eighteen years of age and whose  
17 vision is not seriously impaired. The accompanying person must  
18 purchase a hunting license that includes the wildlife habitat  
19 fee as provided in rules adopted pursuant to section 483A.1  
20 if applicable. If the accompanying person is not required  
21 to have a hunting license the person is not required to pay  
22 the wildlife habitat fee. During the hunt, the accompanying  
23 adult must be within arm's reach of the totally blind person,  
24 and must be able to identify the target and the location of  
25 the laser sight beam on the target. A person other than the  
26 totally blind person shall not shoot the laser sight-equipped  
27 gun or bow.

28 Sec. \_\_\_\_\_. Section 483A.1, Code 2017, is amended by striking  
29 the section and inserting in lieu thereof the following:

30 **483A.1 Licenses — fees — rules.**

31 1. Except as otherwise provided in this chapter, a person  
32 shall not fish, trap, hunt, pursue, catch, kill, take in  
33 any manner, use, have possession of, sell, or transport all  
34 or a part of any wild animal, bird, game, turtle, or fish,  
35 the protection and regulation of which is desirable for

1 the conservation of resources of the state, without first  
2 obtaining a license for that purpose, and the payment of a fee  
3 as established by rules adopted by the commission pursuant to  
4 chapter 17A.

5 2. a. The fees established by rule pursuant to subsection 1  
6 shall be periodically evaluated by the department, but not less  
7 often than once every three years, to ensure that the fees paid  
8 are sufficient to meet the needs of natural resource management  
9 and the public.

10 b. By December 15 of each year on and after December 15,  
11 2018, that an evaluation of the license fees is completed, the  
12 department shall file a written report with the commission and  
13 the general assembly which shall include the evaluation and  
14 recommendations for changes, if any. Any fee increase proposed  
15 in such a report shall not take effect until on or after  
16 December 15 of the year succeeding the report and an individual  
17 license fee shall not be increased in any calendar year in an  
18 amount that exceeds five percent.

19 Sec. \_\_\_\_\_. Section 483A.1A, subsection 10, paragraph c, Code  
20 2017, is amended to read as follows:

21 c. Is a student who qualifies as a resident pursuant to  
22 paragraph "b" only for the purpose of purchasing any resident  
23 license specified in rules adopted pursuant to section 483A.1.

24 Sec. \_\_\_\_\_. Section 483A.3, subsection 1, paragraph a, Code  
25 2017, is amended to read as follows:

26 a. A resident or nonresident person required to have a  
27 hunting or fur harvester license shall not hunt or trap unless  
28 the person purchases a hunting or fur harvester license that  
29 includes the wildlife habitat fee, in an amount established by  
30 rules adopted by the commission pursuant to section 483A.1.

31 Sec. \_\_\_\_\_. Section 483A.3, subsection 1, paragraph c, Code  
32 2017, is amended by striking the paragraph.

33 Sec. \_\_\_\_\_. Section 483A.3, subsection 1, paragraphs d and e,  
34 Code 2017, are amended to read as follows:

35 d. All wildlife habitat fees shall be administered in

1 the same manner as hunting and fur harvester licenses except  
2 all revenue derived from wildlife habitat fees shall be used  
3 within the state of Iowa for habitat development and shall be  
4 deposited in the state fish and game protection fund, except  
5 as provided in [subsection 2](#). The revenue may be used for  
6 the matching of federal funds. The revenues and any matched  
7 federal funds shall be used for acquisition of land, leasing of  
8 land, or obtaining of easements from willing sellers for use  
9 as wildlife habitats. Notwithstanding the exemption provided  
10 by [section 427.1](#), any land acquired with the revenues and  
11 matched federal funds shall be subject to the full consolidated  
12 levy of property taxes, which shall be paid from ~~those~~ the  
13 income generated from those lands or, if no such income is  
14 generated, from the wildlife habitat fee revenues. In addition  
15 the revenue may be used for the development and enhancement of  
16 wildlife lands and habitat areas.

17 e. ~~Not less than fifty percent of all revenue~~ three dollars  
18 from each wildlife habitat fees fee shall be allocated as  
19 specified in section 483A.3B and not less than fifty percent  
20 of the balance of each fee shall be used by the commission  
21 to enter into agreements with county conservation boards or  
22 other public agencies in order to carry out the purposes of  
23 this section. ~~The~~ However, the state share of funding of those  
24 agreements provided by the revenue from wildlife habitat fees  
25 shall not exceed seventy-five percent.

26 Sec. \_\_\_\_\_. Section 483A.3, subsections 3 and 4, Code 2017,  
27 are amended to read as follows:

28 3. Notwithstanding [subsections 1 and 2](#), any increase in  
29 wildlife habitat fee revenues ~~received~~ collected on or after  
30 ~~July 1, 2007~~ December 15, 2017, pursuant to [this section](#) as  
31 a result of wildlife habitat fee increases ~~pursuant to 2007~~  
32 ~~Iowa Acts, ch. 194~~ established by rules adopted pursuant to  
33 section 483A.1, shall be used by the commission ~~only for~~  
34 ~~the purpose of the game bird habitat development program as~~  
35 provided for any of the purposes set forth in this section or

1 in section 483A.3B, except that such increases in revenues  
2 collected shall not be used by the commission for the purpose  
3 of land acquisition. The commission shall not reduce on an  
4 annual basis for these purposes the amount of other funds being  
5 expended as of ~~July 1, 2007~~ December 15, 2017.

6 4. A ~~three-year~~ multi-year hunting license purchased  
7 pursuant to ~~section 483A.1, subsection 1, paragraph "j"~~  
8 483A.9A, includes the payment of a wildlife habitat fee for  
9 each of the ~~three~~ years for which the license is valid and  
10 those fees shall be used as provided in this section.

11 Sec. \_\_\_\_\_. Section 483A.3A, Code 2017, is amended to read as  
12 follows:

13 **483A.3A Fish habitat development funding.**

14 Three dollars from each resident and nonresident annual and  
15 seven-day fishing license and nine dollars from each resident  
16 ~~three-year~~ multi-year fishing license sold shall be deposited  
17 in the state fish and game protection fund and shall be used  
18 within this state for fish habitat development. Not less than  
19 fifty percent of this amount shall be used by the commission to  
20 enter into agreements with county conservation boards to carry  
21 out the purposes of this section.

22 Sec. \_\_\_\_\_. Section 483A.3B, subsection 1, Code 2017, is  
23 amended to read as follows:

24 1. *Allocation of revenue — accounts.* All revenue collected  
25 from ~~increases in~~ wildlife habitat fees as provided in section  
26 483A.3, subsection ~~3~~ 1, paragraph "e", that is deposited in  
27 the state fish and game protection fund and that is allocated  
28 pursuant to this section shall be allocated as follows:

29 a. ~~Two~~ Not less than two dollars of each wildlife habitat  
30 fee collected shall be allocated to the game bird wetlands  
31 conservation account.

32 b. ~~One~~ Not less than one dollar of each wildlife habitat  
33 fee collected shall be allocated to the game bird buffer strip  
34 assistance account.

35 c. Notwithstanding section 12C.7, subsection 2, interest or

1 earnings on moneys collected from wildlife habitat fees that  
2 are deposited in each account created under [this section](#) shall  
3 be credited to that account. Notwithstanding [section 8.33](#) or  
4 [section 456A.17](#), moneys credited to each account created under  
5 this section shall not revert to the state general fund at the  
6 close of a fiscal year.

7 *d.* All revenue ~~generated by increases in the~~ collected  
8 from wildlife habitat fee fees as provided in [section 483A.3](#),  
9 subsection 3 1, paragraph "e", that is allocated pursuant to  
10 this section shall be used as provided in [this section](#), except  
11 for that part which is specified by the department for use in  
12 paying administrative expenses as provided in [section 456A.17](#).

13 Sec. \_\_\_\_ . NEW SECTION. **483A.6B Nonresident five-day hunting**  
14 **license — fee.**

15 1. A nonresident may be issued a five-day hunting license  
16 that costs an amount as set by rules adopted pursuant to  
17 [section 483A.1](#), including the wildlife habitat fee. A  
18 nonresident hunting with a license issued under this section  
19 shall be otherwise qualified to hunt in this state.

20 2. This section is repealed on December 15, 2020.

21 Sec. \_\_\_\_ . [Section 483A.7](#), subsection 3, paragraph b, Code  
22 2017, is amended to read as follows:

23 *b.* The commission shall assign one preference point to a  
24 nonresident whose application for a nonresident wild turkey  
25 hunting license is denied due to limitations on the number  
26 of nonresident wild turkey hunting licenses available for  
27 issuance that year. An additional preference point shall be  
28 assigned to that person each subsequent year the person's  
29 license application is denied for that reason. A nonresident  
30 may purchase additional preference points pursuant to rules  
31 adopted pursuant to [section 483A.1, subsection 2, paragraph](#)  
32 "j". The first nonresident wild turkey hunting license drawing  
33 each year shall be made from the pool of applicants with the  
34 most preference points and continue to pools of applicants  
35 with successively fewer preference points until all available

1 nonresident wild turkey hunting licenses have been issued. If  
2 a nonresident applicant receives a wild turkey hunting license,  
3 all of the applicant's assigned preference points at that time  
4 shall be removed.

5 Sec. \_\_\_\_\_. Section 483A.8, subsection 3, paragraphs a, b, and  
6 e, Code 2017, are amended to read as follows:

7 a. A nonresident hunting deer is required to purchase  
8 a nonresident annual hunting license that includes the  
9 wildlife habitat fee and a nonresident deer hunting license.  
10 In addition, a nonresident who purchases a deer hunting  
11 license shall pay a one dollar fee that shall be used and  
12 is appropriated for the purpose of deer herd population  
13 management, including assisting with the cost of processing  
14 deer donated to the help us stop hunger program administered  
15 by the commission.

16 b. A nonresident who purchases an antlered or any sex deer  
17 hunting license pursuant to rules adopted pursuant to section  
18 ~~483A.1, subsection 2, paragraph "i",~~ is required to purchase  
19 an antlerless deer only deer hunting license at the same  
20 time, pursuant to rules adopted pursuant to section 483A.1,  
21 ~~subsection 2, paragraph "k".~~

22 e. The commission shall assign one preference point to a  
23 nonresident whose application for a nonresident antlered or any  
24 sex deer hunting license is denied due to limitations on the  
25 number of nonresident antlered or any sex deer hunting licenses  
26 available for issuance that year. An additional preference  
27 point shall be assigned to that person each subsequent year  
28 the person's license application is denied for that reason. A  
29 nonresident may purchase additional preference points pursuant  
30 to rules adopted pursuant to section 483A.1, subsection 2,  
31 ~~paragraph "j".~~ The first nonresident antlered or any sex deer  
32 hunting license drawing each year shall be made from the pool  
33 of applicants with the most preference points and continue  
34 to pools of applicants with successively fewer preference  
35 points until all available nonresident antlered or any sex deer

1 hunting licenses have been issued. If a nonresident applicant  
2 receives an antlered or any sex deer hunting license, all of  
3 the applicant's assigned preference points at that time shall  
4 be removed.

5 Sec. \_\_\_\_\_. Section 483A.8, subsections 4 and 6, Code 2017,  
6 are amended to read as follows:

7 4. The commission may provide, by rule, for the issuance of  
8 an additional antlerless deer hunting license to a person who  
9 has been issued an antlerless deer hunting license. The rules  
10 shall specify the number of additional antlerless deer hunting  
11 licenses which may be issued, and the season and zone in which  
12 the license is valid. The fee for an additional antlerless  
13 deer hunting license shall be ~~ten dollars~~ an amount established  
14 by rules adopted pursuant to section 483A.1 for residents.

15 6. The commission shall provide by rule for the annual  
16 issuance to a nonresident of a nonresident antlerless deer  
17 hunting license that is valid for use only during the period  
18 beginning on December 24 and ending at sunset on January 2 of  
19 the following year and costs ~~seventy-five dollars~~ an amount  
20 established by rules adopted pursuant to section 483A.1. A  
21 nonresident hunting deer with a license issued under this  
22 subsection shall be otherwise qualified to hunt deer in this  
23 state and shall purchase a nonresident annual hunting license  
24 that includes the wildlife habitat fee, and pay the one dollar  
25 fee for the purpose of deer herd population management as  
26 provided in [subsection 3](#). Pursuant to [this subsection](#), the  
27 commission shall make available for issuance only the remaining  
28 nonresident antlerless deer hunting licenses allocated under  
29 subsection 3 that have not yet been issued for the current  
30 year's nonresident antlerless deer hunting seasons.

31 Sec. \_\_\_\_\_. Section 483A.9A, subsection 3, Code 2017, is  
32 amended to read as follows:

33 3. The commission shall offer to residents a combination  
34 package of an annual fishing license and an annual hunting  
35 license, as provided in rules adopted pursuant to section

1 483A.1, ~~subsection 1~~, the cost of which includes the wildlife  
2 habitat fee.

3 Sec. \_\_\_\_\_. Section 483A.17, Code 2017, is amended to read as  
4 follows:

5 **483A.17 Tenure of license.**

6 Every license, except as otherwise provided in this  
7 chapter, is valid from the date issued to January 10 of the  
8 succeeding calendar year for which it is issued. A license  
9 shall not be issued prior to December 15 for the subsequent  
10 calendar year except for a ~~three-year~~ multi-year fishing  
11 license or a ~~three-year~~ multi-year hunting license issued to a  
12 resident pursuant to rules adopted pursuant to section 483A.17  
13 ~~subsection 1~~.

14 Sec. \_\_\_\_\_. Section 483A.24, subsection 2, paragraphs b and c,  
15 Code 2017, are amended to read as follows:

16 *b.* Upon written application on forms furnished by the  
17 department, the department shall issue annually without fee one  
18 wild turkey license to the owner of a farm unit or to a member  
19 of the owner's family, but not to both, and to the tenant or  
20 to a member of the tenant's family, but not to both. The wild  
21 turkey hunting ~~license~~ licenses issued shall be valid only on  
22 the farm unit for which an applicant qualifies pursuant to this  
23 subsection and shall be equivalent to the least restrictive  
24 license issued under [section 481A.38](#). The owner or the tenant  
25 need not reside on the farm unit to qualify for a free license  
26 to hunt on that farm unit. The free turkey hunting licenses  
27 issued pursuant to this paragraph shall be valid and may be  
28 used during any bow or firearm turkey hunting season.

29 *c.* Upon written application on forms furnished by the  
30 department, the department shall issue annually without fee two  
31 deer hunting licenses, one antlered or any sex deer hunting  
32 license and one antlerless deer only deer hunting license, to  
33 the owner of a farm unit or a member of the owner's family,  
34 but only a total of two licenses for both, and to the tenant  
35 of a farm unit or a member of the tenant's family, but only

1 a total of two licenses for both. The deer hunting licenses  
2 issued shall be valid only for use on the farm unit for which  
3 the applicant applies pursuant to this paragraph. The owner or  
4 the tenant need not reside on the farm unit to qualify for the  
5 free deer hunting licenses to hunt on that farm unit. The free  
6 deer hunting licenses issued pursuant to this paragraph shall  
7 be valid and may be used during any ~~shotgun~~ bow or firearm  
8 deer hunting season. The licenses may be used to harvest deer  
9 in two different seasons. In addition, a person who receives  
10 a free deer hunting license pursuant to this paragraph shall  
11 pay a one dollar fee for each license that shall be used  
12 and is appropriated for the purpose of deer herd population  
13 management, including assisting with the cost of processing  
14 deer donated to the help us stop hunger program administered  
15 by the commission.

16 Sec. \_\_\_\_\_. Section 483A.24, subsection 2, paragraph d, Code  
17 2017, is amended to read as follows:

18 *d.* In addition to the free deer hunting licenses received  
19 pursuant to paragraph "c", an owner of a farm unit or a  
20 member of the owner's family and the tenant or a member of the  
21 tenant's family may purchase a deer hunting license for any  
22 option offered to paying deer hunting licensees. An owner of a  
23 farm unit or a member of the owner's family and the tenant or a  
24 member of the tenant's family may also purchase two additional  
25 antlerless deer hunting licenses which are valid only on the  
26 farm unit for a fee of ~~ten dollars each~~ established by rules  
27 adopted pursuant to section 483A.1.

28 Sec. \_\_\_\_\_. Section 483A.24, subsection 3, paragraph a, Code  
29 2017, is amended to read as follows:

30 *a.* Fifty of the nonresident deer hunting licenses shall be  
31 allocated as requested by a majority of a committee consisting  
32 of the majority leader of the senate, speaker of the house  
33 of representatives, and director of the economic development  
34 authority, or their designees. The licenses provided pursuant  
35 to [this subsection](#) shall be in addition to the number of

1 nonresident licenses authorized pursuant to [section 483A.8](#).  
2 The purpose of the special nonresident licenses is to allow  
3 state officials and local development groups to promote the  
4 state and its natural resources to nonresident guests and  
5 dignitaries. Photographs, videotapes, or any other form  
6 of media resulting from the hunting visitation shall not  
7 be used for political campaign purposes. The nonresident  
8 licenses shall be issued without application upon purchase of a  
9 nonresident annual hunting license that includes the wildlife  
10 habitat fee and the purchase of a nonresident deer hunting  
11 license. The licenses are valid in all zones open to deer  
12 hunting. The hunter education certificate requirement pursuant  
13 to [section 483A.27](#) is waived for a nonresident issued a license  
14 pursuant to [this subsection](#).

15 Sec. \_\_\_\_\_. Section 483A.24, subsection 4, paragraph a, Code  
16 2017, is amended to read as follows:

17 *a.* Fifty of the nonresident wild turkey hunting licenses  
18 shall be allocated as requested by a majority of a committee  
19 consisting of the majority leader of the senate, speaker of  
20 the house of representatives, and director of the economic  
21 development authority, or their designees. The licenses  
22 provided pursuant to [this subsection](#) shall be in addition  
23 to the number of nonresident licenses authorized pursuant  
24 to [section 483A.7](#). The purpose of the special nonresident  
25 licenses is to allow state officials and local development  
26 groups to promote the state and its natural resources to  
27 nonresident guests and dignitaries. Photographs, videotapes,  
28 or any other form of media resulting from the hunting  
29 visitation shall not be used for political campaign purposes.  
30 The nonresident licenses shall be issued without application  
31 upon purchase of a nonresident annual hunting license that  
32 includes the wildlife habitat fee and the purchase of a  
33 nonresident wild turkey hunting license. The licenses are  
34 valid in all zones open to wild turkey hunting. The hunter  
35 education certificate requirement pursuant to [section 483A.27](#)

1 is waived for a nonresident issued a license pursuant to this  
2 subsection.

3 Sec. \_\_\_\_\_. Section 483A.24, subsection 16, Code 2017, is  
4 amended to read as follows:

5 16. Upon payment of the fee ~~of five dollars~~ established by  
6 rules adopted pursuant to section 483A.1 for a lifetime fishing  
7 license or lifetime hunting and fishing combined license, the  
8 department shall issue a lifetime fishing license or lifetime  
9 hunting and fishing combined license to a resident of Iowa  
10 who has served in the armed forces of the United States on  
11 federal active duty and who was disabled or was a prisoner of  
12 war during that veteran's military service. The department  
13 shall prepare an application to be used by a person requesting  
14 a lifetime fishing license or lifetime hunting and fishing  
15 combined license under [this subsection](#). The department of  
16 veterans affairs shall assist the department in verifying the  
17 status or claims of applicants under [this subsection](#). As used  
18 in [this subsection](#), "disabled" means entitled to a service  
19 connected rating under 38 U.S.C. ch. 11.

20 Sec. \_\_\_\_\_. Section 483A.28, subsection 4, Code 2017, is  
21 amended to read as follows:

22 4. Any person who is issued a valid fishing license pursuant  
23 to [this chapter](#) may fish with a third line as provided in  
24 section 481A.72 only upon the annual purchase of a third line  
25 fishing permit as provided in rules adopted pursuant to section  
26 483A.1.

27 Sec. \_\_\_\_\_. Section 717F.7, subsection 3, Code 2017, is  
28 amended to read as follows:

29 3. A person who keeps falcons, if the person has been issued  
30 a falconry license by the department of natural resources  
31 pursuant to rules adopted pursuant to section 483A.1.

32 Sec. \_\_\_\_\_. Section 805.8B, subsection 3, paragraph o,  
33 unnumbered paragraph 1, Code 2017, is amended to read as  
34 follows:

35 For violations of rules adopted pursuant to section 483A.1

1 relating to licenses and permits, the scheduled fines are as  
2 follows:

3     Sec. \_\_\_\_\_. RULEMAKING. The natural resource commission  
4 shall submit a notice of intended action to the administrative  
5 rules coordinator and the administrative code editor pursuant  
6 to section 17A.4, subsection 1, not later than July 14, 2017,  
7 for the adoption of rules establishing fees pursuant to section  
8 483A.1, subsection 1, as enacted by this division of this Act.  
9 Such rules shall be effective December 15, 2017.

10     Sec. \_\_\_\_\_. EFFECTIVE DATES — TRANSITION.

11     1. With the exception of the section relating to rulemaking  
12 and the submission of a notice of intended action, this  
13 division of this Act takes effect December 15, 2017. A license  
14 issued or in effect prior to December 15, 2017, is subject to  
15 the provisions of Code 2017. This division of this Act does  
16 not affect the validity of a license issued prior to December  
17 15, 2017.

18     2. The section of this division of this Act relating to  
19 rulemaking and the submission of a notice of intended action,  
20 being deemed of immediate importance, takes effect upon  
21 enactment.>

22     2. By renumbering as necessary.

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DAVID JOHNSON